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Attorney for Defendant Marco Paulo Rebelo

UNITED STATES OF AMERICA,

Plaintiff,

-against-

MARCO PAULO REBELO,

Defendant.

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

Civil Action No. 01-2120 (HAA)

Honorable Harold A. Ackerman

Defendant's Response To Plaintiff's

Statement Pursuant To L. Civ. R. 56.1


Defendant, by his undersigned attorney responds to plaintiff's statement undisputed under L. Civ. R. 56.1 as follow"

1. The statement submitted by the plaintiff under Local Civil Rule 56.1 is verbose and argumentative contrary to the requirements of that rule. See, e.g., Resolution Trust Co. v. Fidelity & Deposit Co., 1998 U.S. Dist. LEXIS 3431 (D.N.J., filed Jan. 27, 1998) (Walls, J.) (Local Rule 56.1 statement faulted as argumentative and verbose). In addition, the statement does not follow the required format of numbered statements of undisputed fact.

2. Under these circumstances, defendant respectfully requests to be excused from responding to a statement not in conformity with the rules.

3. To the extent that a response is required, there exists disputed material fact with respect to whether defendant willfully made a material representation of fact on his naturalization application.

Dated: Newark, New Jersey
July 5, 2004


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